

Re: WT Docket 03-66, Rm-10586

To the FCC:

It was with total disbelief I read about the freeze on new 2 way data applications. We have over 20 in process license applications sitting on hold severely crippling broadband deployment plans in 15 rural markets. In the past the FCC has always set up a window to give warning that they would not be accepting applications. In the Midwest and rural areas in other states macro cells are used widely and probably because of economics will always be used. Washington is delivering mixed signals. On one hand RUS promotes loans to entities to bring broadband services to rural areas while on the other hand the FCC, capriciously and without input from the affected industry, effectively cuts off licensed broadband service to the rural areas. The gross unfairness of this FCC action is evident when those who are using unlicensed and free frequencies are allowed to apply for RUS loans while those who purchase frequencies will not be allowed to apply for RUS loans since they cannot get such frequencies licensed.

No good argument can be made that the new 2-way applications we desire to file would affect the proposed rule making's band plan. Macro cells are an important part of the band plan and as part of good engineering they will be built to comply with the rules as proposed. We certainly wouldn't expect nor do we need grandfathering on these license applications.

In summary the stand taken by the FCC is not only unfair but is economically devastating to an already troubled industry. The FCC could accomplish its goals in a much fairer manner by simply not grandfathering license applications made after the date of the NPRM. The FCC must immediately lift this freeze on applications. Too long has this industry suffered through delayed and misguided actions by the FCC. Given past history, this industry simply cannot wait another 1 to 2 years before applications are again accepted. Business needs to get back to normal immediately. The public good demands it.

Sincerely,

John Dalager  
President  
Dalager Engineering